

IN THE CLAIMS

Claims 1-38 are currently pending in the application. By the Office Action dated May 3, 2007, claims 1-38 were rejected. The drawings were objected to under 37 CFR 1.83(a). Claims 1-7, 13, 16-22, 24 and 27 were rejected under 35 U.S.C. 102(b) as being anticipated by Duffy (US Patent No. 6,050,973). Claims 8-11, 12, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Duffy. Claims 14, 15, 25, 26, and 28-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Duffy in view of Bierman (US Patent No. 2,535,998).

AMENDMENTS TO THE CLAIMS

1. (Currently Amended). A device for collecting a fluid comprising a pressure sensitive valve, wherein said valve comprises:
- a. a housing;
 - b. an inlet to the housing;
 - c. an outlet from the housing;
 - d. a fluid channel which can allow a fluid to flow from the inlet to the outlet; and
 - e. a rod which can obstruct the communication between the inlet and the outlet,
- such that the ~~valve~~ **rod** can be in only one of two positions (i) a first position occurring when a pressure differential between the inlet and the outlet is at or greater than a preset value, the rod is displaced to completely obstruct the fluid from flowing from the inlet to the outlet and (ii) a second position occurring when the pressure differential between the inlet and the outlet is less than the preset value, the rod is not displaced, allowing the fluid to flow unrestricted from the inlet to the outlet **through a rod fluid channel, said rod fluid channel having a rod fluid channel inlet and a rod fluid channel outlet, wherein said rod fluid channel, said rod fluid channel inlet and said rod fluid channel outlet are generally inline such that the fluid flow through the rod fluid channel is generally straight.**

2. (Currently Amended). The device of claim 1 wherein ~~the rod is an embolus, cone, or cylinder.~~ the only one of two positions of the rod is readily visible to an operator during the operation of the device.

3. (Original). The device of claim 1 wherein the rod is connected to the outlet by a spring and retaining pin.

4. (Original). The device of claim 1 wherein the rod is perpendicular to the fluid channel and in a rod sleeve.

5. (Original). The device of claim 1 wherein the rod is inline with the fluid channel.

6. (Original). The device of claim 1 wherein the rod comprises a constriction.

7. (Currently Amended). The device of claim 5 wherein the rod ~~comprises a rod~~ fluid channel ~~which~~ is contiguous with the fluid channel.

8. (Original). The device of claim 1 wherein the preset value is at or greater than 10 mm of H₂O.

9. (Original). The device of claim 1 wherein the preset value is at or greater than 50 mm of H₂O.

10. (Original). The device of claim 1 wherein the preset value is at or greater than 100 mm of H₂O.

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11. **(Original)**. The device of claim 1 wherein when preset value is between 179 mm H₂O and 221 mm H₂O.
12. **(Original)**. The device of claim 1 wherein the fluid comprises a body fluid.
13. **(Original)**. The device of claim 1 wherein a needle is affixed to the inlet to the housing.
14. **(Original)**. The device of claim 1 wherein a stopcock and manometer assembly is affixed to the outlet from the housing.
15. **(Original)**. The device of claim 1 wherein a three-way valve is affixed to the outlet from the housing.
16. **(Original)**. The device of claim 1 wherein a tubing is affixed to the outlet from the housing.
17. **(Currently Amended)**. A method of extracting a body fluid from a body area, the method comprising the steps of:
- a. connecting a needle to an inlet of a housing of a valve, wherein the valve comprises the housing the inlet of the housing, an outlet of the housing, a fluid channel which can allow a body fluid to flow from the inlet to the outlet, and a rod which can obstruct the body fluid from flowing from the inlet to the outlet, such that the **valve rod** can be in only one of two positions (i) a first position occurring when a pressure differential between

the inlet and the outlet is at or greater than a preset value, the rod is displaced to completely obstruct the body fluid from flowing from the inlet to the outlet, and (ii) a second position occurring when the pressure differential between the inlet and the outlet is less than the preset value, the rod is not displaced, allowing the body fluid to flow unrestricted from the inlet to the outlet through a rod fluid channel, said rod fluid channel having a rod fluid channel inlet and a rod fluid channel outlet, wherein said rod fluid channel, said rod fluid channel inlet and said rod fluid channel outlet are generally inline such that the fluid flow through the rod fluid channel is generally straight; and

- b. inserting the needle into a body area, wherein the body fluid flows through the needle and into the inlet to the housing such that (i) when the body fluid is at a pressure that is below the preset value, the body fluid flows unrestricted to the outlet of the housing to be collected, and (ii) when the body fluid is at a pressure that is at or in excess of the preset value, the rod is completely displaced and body fluid is not allowed to flow out of the outlet of the housing.

18. (Currently Amended). The method of claim 17 ~~wherein the rod is an embolus, cone, or cylinder.~~ comprising the additional step of:

- c. resetting the rod by forcing the rod into the unrestricted flow position; and

d. repeating steps a and b of claim 17.

19. (Original). The method of claim 17 wherein the rod is connected to the outlet of the housing by a spring and retaining pin.

20. (Original). The method of claim 17 wherein the rod is perpendicular to the fluid channel and in a rod sleeve.

21. (Original). The method of claim 17 wherein the rod is inline with the fluid channel.

22. (Currently Amended). The method of claim 20 wherein the rod ~~comprises a rod fluid~~ channel ~~which~~ is contiguous with the fluid channel.

23. (Original). The method of claim 17 wherein the body fluid comprises CSF or blood.

24. (Original). The method of claim 17 wherein a needle is affixed to the inlet of the housing.

25. (Original). The method of claim 17 wherein a stopcock is affixed to the outlet of the housing and a manometer is affixed to the stopcock.

26. (Original). The method of claim 17 wherein a three-way valve is affixed to the outlet of the housing.

27. (Original). The method of claim 17 wherein a tubing is affixed to the outlet of the housing.

28. (Currently Amended). A kit for extracting a body fluid from a body, the kit comprising a needle, a valve, and an ancillary device, and wherein,

- a. the valve comprises a housing, an inlet to the housing, an outlet from the housing, a fluid channel which can allow a body fluid to flow from the inlet to the outlet, and a rod which can obstruct the body fluid from flowing from the inlet to the outlet, such that the valve rod can be in only one of two positions (i) a first position occurring when a pressure differential between the inlet and the outlet is at or greater than a preset value, the rod is displaced to completely obstruct flow of the body fluid from the inlet to the outlet; and (ii) a second position occurring when the pressure differential between the inlet and the outlet is less than the preset value, the rod is not displaced, which thereby allows unrestricted flow of the body fluid from the inlet to the outlet through a rod fluid channel, said rod fluid channel having a rod fluid channel inlet and a rod fluid channel outlet, wherein said rod fluid channel, said rod fluid channel inlet and said rod fluid channel outlet are generally inline such that the fluid flow through the rod fluid channel is generally straight; and

- b. the ancillary device is selected from the group consisting of a tubing, a three-way valve, a stopcock and manometer assembly and a collection device.
29. **(Original)**. The kit of claim 28 wherein the rod is an embolus, cone, or cylinder.
30. **(Original)**. The kit of claim 28 wherein the rod is connected to the outlet by a spring and retaining pin.
31. **(Original)**. The kit of claim 28 wherein the rod is perpendicular to a portion of the fluid channel and in a rod sleeve.
32. **(Original)**. The kit of claim 28 wherein the rod is inline with the fluid channel.
33. **(Currently Amended)**. The kit of claim 31 wherein the rod ~~comprises a rod~~ **fluid** channel ~~which~~ is contiguous with the fluid channel.
34. **(Original)**. The kit of claim 28 wherein the body fluid comprises CSF or blood.
35. **(Original)**. The kit of claim 28 wherein the needle is affixed to the inlet of the housing.
36. **(Original)**. The kit of claim 28 wherein a stopcock and manometer assembly is affixed to the outlet of the housing.
37. **(Original)**. The kit of claim 28 wherein a three-way valve is affixed to the outlet of the housing.

38. (Original). The kit of claim 28 wherein a tubing is affixed to the outlet of the housing.
39. (New). The device of claim 2 , wherein the operator can reset the valve by forcing the rod into the second position.
40. (New). The device of claim 1 , wherein the housing is a transparent, sterile material.
41. (New). The method of claim 17 , wherein the housing is a transparent, sterile material.